



State of Utah

Department of
Environmental Quality

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Executive Director

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OK

June 7, 2007

CERTIFIED MAIL
(Return Receipt Requested)

Gregg Galecki, Environmental Coordinator
Canyon Fuel Company, LLC. – Skyline Mine
HCR 35, Box 380
Helper, Utah 84526

filed
6/27/07

Dear Mr. Galecki:

Subject: Phosphorus Testing Reduction Request Evaluation for UPDES
Permit No. UT0023540 – Skyline Mine Facility.

We have received your letter dated May 14, 2007 regarding your request for a reduction of the total phosphorus (TP) testing requirements for the above referenced UPDES permit. In your submittal, a request was made to reduce the frequency of TP testing from the existing monthly monitoring requirement, as specified in Part I.D.1 of UPDES Permit No. UT0023540 (Permit), to a quarterly monitoring event.

Your request for a TP testing reduction has been evaluated and pursuant to Part I.D.1 of the Permit, a determination has been made by the Executive Secretary that the Skyline Mine facility has adequately demonstrated the appropriateness for a reduction in TP testing frequency requirements. The reduction in frequency shall be from a monthly monitoring requirement to a quarterly (once each per calendar quarter) monitoring requirement for TP. Also as stated in Part I.D.1 of the Permit, this modification has taken place without public notice.

Therefore, effective on the date of this letter and modified Permit, the TP testing requirements in Part I.D.1 of UPDES Permit No. UT0023540 for the Skyline Mine facility have been modified to reflect this change and you may immediately implement the quarterly TP monitoring requirements. The applicable pages of your Permit have been modified to reflect this change and are included as an attachment herein.

Therefore, please replace the applicable pages in your UPDES permit with

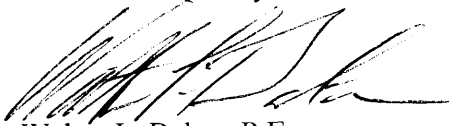
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the attached revised pages. All other conditions, requirements, and limitations of UPDES Permit No. UT0023540 remain unchanged and are in full force and effect.

The Division of Water Quality appreciates your continued willingness and cooperation regarding compliance with the provisions of your UPDES permit. If you have any questions with regard to this matter, please contact Jeff Studenka of this office at (801) 538-6779 or via e-mail at jstudenka@utah.gov.

Sincerely,

Utah Water Quality Board



Walter L. Baker, P.E.
Executive Secretary

WLB:JS:st

Enclosures

cc (w/ encl): Qian Zhang, P.E., EPA Region 8
Claron Bjork, SE Utah District Health Department
Dave Ariotti, District Engineer
Pam Grubaugh-Littig, Division of Oil Gas & Mines

STATE OF UTAH
DIVISION OF WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALT LAKE CITY, UTAH

AUTHORIZATION TO DISCHARGE UNDER THE
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM
(UPDES)

In compliance with provisions of the *Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated ("UCA") 1953, as amended* (the "Act"),

CANYON FUEL COMPANY, LLC - SKYLINE MINE

is hereby authorized to discharge from its facility located at approximately seven (7) miles south of Scofield, Utah up Eccles Canyon, with the outfalls located at latitude 39°41'05" and longitude 111°13'58" for 001, latitude 39°41'05" and longitude 111°09'07" for 002, latitude 39°43'10" and longitude 111°09'15" for 003 to receiving waters named

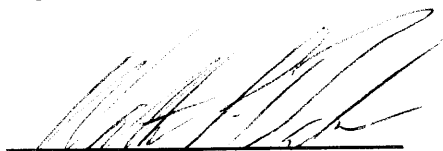
Eccles Creek and UP Canyon Creek

in accordance with discharge points, effluent limitations, monitoring requirements and other conditions set forth herein.

This modified permit shall become effective on June 8, 2007.

This permit and the authorization to discharge shall expire at midnight, November 30, 2009.

Signed this 8th day of June 2007.



Authorized Permitting Official
Executive Secretary
Utah Water Quality Board

PART I
Permit No. UT0023540

unauthorized location or failing to report an unauthorized discharge may be subject to criminal penalties as provided under the *Act*.

<u>Outfall Number</u>	<u>Location of Discharge Point(s)</u>
001	Outfall from sedimentation pond and mine discharges to Eccles Creek. Latitude 39°41'05", Longitude 111°13'58".
002	Outfall from sedimentation pond at the loadout facility. Discharge is to Eccles Creek. Latitude 39°41'05", Longitude 111°09'07".
003	Outfall from sedimentation pond associated with the waste rock disposal site. Discharge goes to UP Canyon Creek. Latitude 39°43'10", Longitude 111°09'15".

C. Narrative Standard

It shall be unlawful, and a violation of this permit, for the permittee to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste, or cause conditions which produce undesirable aquatic life or which produce objectionable tastes in edible aquatic organisms; or result in concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures.

D. Specific Limitations and Selfmonitoring Requirements

- Effective immediately and lasting the duration of this permit, permittee is authorized to discharge from Outfalls 001, 002 & 003. Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristics</u>	<u>Discharge Limitations a/</u>			<u>Monitoring Requirements</u>	
	<u>Average</u>	<u>Daily</u>	<u>30-Day 7-Day Maximum</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow, MGD	NA	NA	NA	Weekly	Measured
Total Iron, mg/L	NA	NA	1.0	2 x Monthly	Grab
Oil & Grease, mg/L <u>b/</u>	NA	NA	10	Weekly	Grab
Total Suspended Solids, mg/L	25	35	70	Weekly	Grab
Total Dissolved Solids, mg/L <u>c/</u>	500	NA	1310	2 x Monthly	Grab
Total Phosphorous, mg/L <u>d/</u>	NA	NA	NA	Quarterly	Grab

The pH shall not be less than 6.5 standard units nor greater than 9.0 standard units in any sample and shall be monitored weekly by a grab sample.

There shall be no visible sheen or floating solids or visible foam in other than trace amounts.